

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

David D. Miller,

Case No. 3:16-cv-2933

Plaintiff

v.

MEMORANDUM OPINION

Commissioner of Social Security,

Defendant

Before me is the Report and Recommendation of Magistrate Judge Jonathan D. Greenberg regarding the challenge by Plaintiff David D. Miller of the denial of his Period of Disability (“POD”) and Disability Insurance Benefits (“DIB”) applications. (Doc. No. 17). Miller objects to Judge Greenberg’s affirmation of the Commissioner of Social Security’s final decision. (Doc. No. 18). The Commissioner responded to Miller’s objections. (Doc. No. 19).

A district court must conduct a *de novo* review of “any part of the magistrate judge’s disposition that has been properly objected to. The district judge may accept, reject or modify the recommended disposition, receive further evidence, or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3).

A general objection that does not “address specific concerns with the magistrate’s report” will not suffice. *Howard v. Sec’y of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *see also* Fed. R. Civ. P. 72(b)(2) (“[A] party may serve and file *specific* written objections to the proposed findings and recommendations.”) (emphasis added). Allowing such general objections would frustrate the purpose of Magistrates Act and “be an inefficient use of judicial resources.” *Howard*, 932 F.3d at 509.

In this case, Miller does not make reference to any finding by Judge Greenberg in the R & R. Instead, he merely reiterates, at times verbatim, the arguments previously asserted in his reply brief. (*Compare* Doc. No. 16 *with* Doc. No. 18). Because Miller “simply objected to the report and recommendation and referred to several of the issues in the case” rather than “specifically [] address the findings of the magistrate,” his general objections do not amount to a legitimate appeal of the R & R. *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995); *see also, e.g., Andres v. Comm'r of Soc. Sec.*, 733 F. App'x 241, 244 (6th Cir. 2018) (“Because Andres failed to pinpoint the magistrate judge’s alleged errors, he has forfeited his arguments on appeal.”); *King v. Caruso*, 542 F. Supp. 2d 703, 706 (E.D. Mich. 2008) (“[I]f the ‘objection’ merely states a disagreement with the magistrate’s suggested resolution or summarizes what was brought before the magistrate, it is not an objection for the purposes of this review.”).

On independent review of the R & R, I conclude Judge Greenberg’s recommendation and findings are supported by the relevant facts and applicable law. Therefore, Miller’s objections are overruled, and Magistrate Judge Greenberg’s R & R is adopted, in full.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge